



Security Council

Seventy-first year

Provisional

7814th meeting

Thursday, 17 November 2016, 3 p.m.

New York

<i>President:</i>	Mr. Seck	(Senegal)
<i>Members:</i>	Angola	Mr. Gimolieca
	China	Mr. Wu Haitao
	Egypt	Mr. Moustafa
	France	Mrs. Gueguen Mohsen
	Japan	Mr. Bessho
	Malaysia	Mr. Ibrahim
	New Zealand	Mr. Van Bohemen
	Russian Federation	Mr. Iliichev
	Spain	Mr. Gasso Matoses
	Ukraine	Mr. Vitrenko
	United Kingdom of Great Britain and Northern Ireland	Mr. Rycroft
	United States of America	Ms. Power
	Uruguay	Mr. Rosselli
	Venezuela (Bolivarian Republic of)	Mr. Ramírez Carreño

Agenda

Reports of the Secretary-General on the Sudan and South Sudan

Report of the Secretary-General on South Sudan (covering the period from 12 August to 25 October 2016) (S/2016/950)

Special report of the Secretary-General on the review of the mandate of the United Nations Mission in South Sudan (S/2016/951)

Letter dated 15 November 2016 from the Panel of Experts on South Sudan established pursuant to Security Council resolution 2206 (2015) addressed to the President of the Security Council (S/2016/963)

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The meeting was called to order at 3.10 p.m.

Adoption of the agenda

The agenda was adopted.

Reports of the Secretary-General on the Sudan and South Sudan

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Special report of the Secretary-General on the review of the mandate of the United Nations Mission in South Sudan (S/2016/951)

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The President (*spoke in French*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of South Sudan to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite the following briefers to participate in this meeting: Mr. Hervé Ladsous, Under-Secretary-General for Peacekeeping Operations; Ms. Ellen Margrethe Løj, Special Representative of the Secretary-General and Head of the United Nations Mission in South Sudan; and Mr. Adama Dieng, Special Adviser to the Secretary-General on the Prevention of Genocide.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of participants to document S/2016/950, which contains the report of the Secretary-General on South Sudan, and document S/2016/951, which contains the special report of the Secretary-General on the review of the mandate of the United Nations Mission in South Sudan.

I wish to also draw the attention of participants to document S/2016/963, which contains a letter dated 15 November 2016 from the Panel of Experts on South Sudan established pursuant to resolution 2206 (2015) addressed to the President of the Security Council.

At this meeting, the Security Council will hear briefings by Ms. Løj and Mr. Dieng. I will brief the Council in my capacity as Chair of the Committee established pursuant to resolution 2206 (2015) concerning South Sudan.

I now give the floor to Ms. Løj.

Ms. Løj: I thank you, Sir, for the opportunity to brief the Security Council on the developments in South Sudan since the release of the Secretary-General's report (S/2016/950). As members have the report before them, I will focus my comments on more recent updates, progress and challenges.

While the Transitional Government of National Unity that was reconstituted after the July crisis has taken steps to improve security in Juba, the overall security situation in South Sudan — in particular, in the greater Equatorias, in parts of Unity, and Western Bahr el-Ghazal — remains volatile. In the Equatorias, recurring attacks on passenger and commercial vehicles traveling along the main roads linking Juba to the country's southern borders have resulted in civilian casualties and disrupted the flow of much-needed commodities and supplies, including food, to Juba and other parts of the country. These attacks have also exacerbated ethnic tensions in the Equatorias, which have spread to other parts of the country — a subject upon which I am sure my colleague Mr. Dieng will elaborate on this following his recent visit. These targeted attacks, as well as sporadic clashes between the Sudan People's Liberation Army (SPLA) and other armed groups in the Equatorias, have also resulted in additional displacement and inflicted further suffering upon the civilian population, with many fleeing to Uganda and the Democratic Republic of the Congo.

The greater Bahr el-Ghazal region has also witnessed an upsurge in violence involving the SPLA and armed groups, with serious incidents in and around Wau and Rajaf, seriously impacting civilians. Intercommunal confrontations among once-peaceful neighbouring ethnic groups have led to the displacement of a large number of civilians in the once-thriving city of Wau, including over 28,000 who are currently seeking safety in a protection area established adjacent to the base of the United Nations Mission in South Sudan (UNMISS).

In Unity, we are currently seeing significant mobilization and violent confrontations between opposition forces allied to Mr. Riek Machar and elements affiliated with First Vice-President Mr. Taban

Deng Gai, which have allied themselves with the SPLA. Fighting between the SPLA and pro-Machar opposition forces in late October resulted in an influx of hundreds of internally displaced persons (IDPS) to the UNMISS temporary operating base in Leer. The instability, as well as the looting and vandalism of humanitarian compounds, have also prompted humanitarian agencies to suspend operations in Leer, thereby creating yet another area of significant civilian protection and humanitarian concern.

The deterioration of the economy and the increasingly fragmented conflict — often with ethnic undertones — that we are seeing have placed the country on a potential downward slide towards greater divisiveness and risk of a full-scale civil conflict that could render national cohesion almost impossible to achieve. Much more needs to be done by the Transitional Government to put a stop to these security incidents, which contribute to an environment of instability and violence, lead to displacement and exacerbate the already dire humanitarian situation. The guns simply have to be silenced if the suffering of the people is not going to become even more dire.

We must also make greater efforts to stem the increasing number of localized conflicts, intolerant ethnic rhetoric and incitement to violence. That will require the involvement of local leaders, religious leaders and civil society representatives. The Mission is undertaking a number of actions to support and facilitate such nation-building activities.

Since the Security Council's visit to South Sudan in early September, the Mission has been engaging with the Transitional Government of National Unity at the political and technical working levels on the implementation of the commitments contained in the joint communiqué issued at the end of the visit. As far as the Regional Protection Force is concerned, on 16 November the Transitional Government of National Unity circulated a document to the members of the Security Council that gives the impression that an agreement has been reached between the Government, the Security Council and the United Nations on the provisions of resolution 2304 (2016) and that of the 4 September joint communiqué.

I would just like to clarify that on 16 November we had a meeting with the Government on the Regional Protection Force and the status of the implementation of the joint communiqué, but we only received a copy

of the document after the meeting and on the same day it was submitted to the Security Council. Therefore, we have not had the opportunity to review its contents in detail. We are currently consulting internally and with Headquarters here in New York on the details before formally responding to the Government. In that regard, the mandate of UNMISS continues to be guided by resolution 2304 (2016) and, in line with it, the Mission will continue to report through the Secretary-General's 30- and 90-day reports to the Security Council.

As for the freedom of movement, the Government has agreed that UNMISS will inform the Government of patrols and movements but not await formal approval to conduct such movements. However, challenges continue to exist in implementing that in practice, since commanders on the ground are either not informed or are simply not willing to comply. However, we did manage to conduct two patrols to Yei in Central Equatoria last month following this procedure, thereby enabling the Mission to get first-hand knowledge of the dire situation in the area.

As for the bureaucratic procedures regarding clearances of the military contingents, equipment and so on, we have agreed with the Government on the modalities for a one-stop shop, but it remains to be implemented. We have also agreed with the Government that staff in the Mission will be issued with multiple entry visas, the issuing of which is expected to commence this week.

I would be remiss if I did not mention the dire humanitarian situation, which is worsening every day owing to the security situation and the deteriorating economy. We now estimate that 4.8 million people are severely food-insecure, and food insecurity has spread to the Equatorias as well as to the Bahr el-Ghazal region. Furthermore, because of the security situation and a lack of seeds, farmers in those food-producing areas are likely to miss the upcoming planting season. Our humanitarian colleagues are doing their utmost to reach people in need, but they continue to face obstacles in terms of movement, bureaucratic procedures and criminality.

Following the Security Council's visit, a humanitarian oversight committee has been established, made up of members of the Cabinet and security institutions as well as representatives of UNMISS and the Office for the Coordination of Humanitarian Affairs. The first meeting took place on 26 October,

and a number of recommendations were made with the aim of improving humanitarian access. However, we have yet to see if they will translate into tangible improvement for the humanitarian personnel on the ground.

As I prepare to leave South Sudan after more than two years as Head of the Mission, I would like to make two points. First, the difference between the success and failure of the peace agreement, and of peace in South Sudan generally, depends on the parties' commitment to pursuing its comprehensive and inclusive implementation, with the firm backing and support of regional and international partners. Secondly, I urge all involved, and especially the South Sudanese leaders, never to lose sight of the ultimate goal — a peaceful and prosperous future for the people of South Sudan.

Finally, I would also like to take this opportunity to thank the Council for its support to me during my assignment in South Sudan. It has been an honour to serve the Organization and the people of South Sudan. As a parting appeal, I would like to ask that the Council not let South Sudan be pushed off the radar screen as other pressing global challenges demand its time. The people of South Sudan have suffered far too much and for far too long. The victims of the conflict still have hope and high expectations of the international community. As I often say, we must not let the boys and girls of South Sudan down, and we must put them at the forefront of all our decisions on South Sudan.

The President (*spoke in French*): I thank Ms. Løj for her briefing.

I now give the floor to Mr. Dieng.

Mr. Dieng: I would first like to thank you, Mr. President, for inviting me to brief the Security Council on my visit to South Sudan last week. As the Council may know, I decided to go because of growing concern about recent developments there, including reports of violence targeting multiple ethnic groups that is taking place against the background of a breakdown in the political process and stalled implementation of the Agreement on the Resolution of the Conflict in the Republic of South Sudan. The purpose of my visit was to assess the situation from the perspective of my mandate in order to better understand the landscape of ethnically fuelled violence, including hate speech and incitement to violence, and the risk that it could lead to further atrocity crimes, including genocide.

In the course of the week, I met with a variety of stakeholders, including religious leaders and community members. I also visited a protection-of-civilians site in Juba and travelled to the town of Yei in Yei River state to meet with members of the community and Government. Yei, which until recently had been spared the violence seen in other areas, has now been identified as a conflict hotspot, with escalating violence against multiple tribal groups in Yei and the State of Central Equatoria of which Yei River is a part. The perpetrators of the violence are varied and reportedly include the Sudan People's Liberation Army (SPLA), the Sudan People's Liberation Army in Opposition (SPLA-IO), unidentified armed groups, militias and bandits.

I would like to take this opportunity to thank Special Representative Løj for the excellent support provided by the United Nations Mission in South Sudan (UNMISS) for my visit, and to express my appreciation to the Transitional Government of National Unity for facilitating the visit and for its cooperation while I was there. That said, however, as I reported last week, I was dismayed that what I saw and heard in South Sudan confirmed my concerns about the fact that there is a strong risk of violence escalating along ethnic lines, with the potential for genocide. I do not say that lightly. As the Secretary-General highlights in his report (S/2016/950), there are myriad underlying risk factors that in my assessment provide an environment ripe for the commission of mass atrocities.

First, in addition to the loss of life and trauma, the violence has an ever-increasing economic cost, both domestically and internationally. It is causing a drain on much-needed resources for development and humanitarian assistance. The Government is reportedly spending half of the national budget on security. There will be neither growth nor development in South Sudan if that continues. The economy has stagnated, inflation is very high and the population is increasingly desperate. The political and security crisis that resulted from the violence in July was fresh in the minds of those with whom I spoke, and many referred to the potential for a further deterioration of the security situation in the coming dry season, when movement around the country will be easier. Reports from the field indicate the existence of constant security incidents and the arming, recruitment and training of both the SPLA and SPLA-IO.

As the Security Council has noted, we have seen patterns of human-rights violations and abuses

committed mainly by SPLA soldiers, police officers and members of the National Security Service, as well as by SPLA-IO and militia groups. Those violations have not been addressed. There is widespread impunity and lack of accountability for violations, including those committed in the name of counter-insurgency. Civil society organizations have been directly targeted, as have human-rights defenders and journalists. Some have been killed, and many others have fled the country out of fear for their safety. Many people with whom I spoke referred to an amorphous and undisciplined army formed out of what had once been two opposing forces. They have now splintered into multiple armed groups, criminal gangs and bandits, over which the Government is failing to exercise control. Some of the groups are formed along ethnic lines and are pursuing their own objectives.

In speaking to people, I heard of tremendous mistrust between the civilian population and the military. The people no longer seem to view the military as their protectors but rather as an entity to be feared — or joined as one of the country's few potential employers. One elder I met summed up the current ethnic polarization, saying that he could see fear in the eyes of some and enthusiasm in the eyes of others.

There is a serious, protracted humanitarian crisis and widespread, prolonged displacement of populations, both internally and to neighbouring countries. In some cases, displacement has caused the disruption of agricultural activities and food insecurity. Despite that crisis, the Government and non-State armed groups continue to hinder access to the humanitarian and human rights community. While aid agencies continue to deliver assistance to people in need across the country, at times there is outright obstruction of the delivery of services and support to people in need.

The scarcity of resources has contributed to divisions within society. Instead of the development of a South Sudanese national identity, we are seeing the extreme polarization of some ethnic groups, which has increased in certain places since the outbreak of violence in July and the disintegration of the peace process. Some groups shared with me their feelings of betrayal, and a perception that the SPLA is increasingly ethnically homogenous, composed mostly of Dinka members, and has been ethnicized as part of a wider plan to launch systematic attacks against ethnic Nuer and multiple tribal groups which make up the Equatorias.

At the same time, there were a number of incidents last month that specifically targeted Dinkas.

Inflammatory rhetoric, stereotyping and name-calling have been accompanied by threats, targeted killings and rape of members of particular ethnic groups, and by violent attacks against individuals or communities on the basis of their perceived political affiliation. Especially worrying was a statement issued by President Kiir on 19 October, in which he said he would personally lead military operations against the armed groups responsible for killings in the Equatorias.

I visited Yei River State, and I was shocked by what I found. Yei had previously been spared the violence seen elsewhere but did suffer the consequences of the violence in July, when the SPLA pursued Riek Machar and his supporters through the Equatorias into the Democratic Republic of the Congo. Recent reports detail the expulsion of farmers from their land into the city of Yei. The Office of the United Nations High Commissioner for Refugees reported that 100,000 people were trapped in Yei at the end of September. Many farmers have lost their homes and belongings, livestock and land. Property has been looted and villages have been burned. I heard reports of targeted killings, assault, maiming, mutilation, rape, and the barbarous use of machetes to hack families to death.

When I visited, there was widespread fear among the people. One person told me in desperation, "Tonight I don't know what will happen to me". An elder expressed terror that his community would be finished. And Yei is just one location among many that are experiencing that kind of violence. Despite the challenges it faces, the United Nations system has been monitoring signs of increased conflict potential in other areas of Central Equatoria, as well as in Western and Eastern Equatoria, Western Bahr el-Ghazal, Upper Nile, Unity, and Jonglei. However, there is much that we do not know.

The media, including social media, are being used to spread hatred and encourage ethnic polarization, and letters threatening particular ethnic groups, telling them to leave, face violence or be eliminated from specific areas, have surfaced in the past month. I am particularly worried by the involvement of the youth, who make up a large percentage of the population and who are particularly susceptible to divisions within society. I was also informed by a number of people that the South Sudanese diaspora has been playing

an influential, negative, role in spreading hatred and inciting violence.

There is a range of different perpetrators and victims, which makes an assessment of the risk of atrocity crimes in South Sudan more complex. But the warning signs are there. Throughout my visit, conversations with all actors confirmed that what began as a political conflict has transformed into what could become an outright ethnic war. With the stalling of the implementation of the peace agreement; the current, worsening, humanitarian crisis; a stagnating economy and the proliferation of arms, all of the ingredients exist for a dangerous escalation of violence. There is both motivation and the means.

I must emphasize that genocide is a process; it does not happen overnight. And because it is a process and one that takes time to prepare, it can be prevented. The political leadership of South Sudan has the primary responsibility of protecting its population and must be held to that responsibility. Action can and must be taken now to address some of the factors that could provide fertile ground for genocide.

My intention in delivering this briefing is to provide impetus for preventive action. We have a collective responsibility to protect the population of South Sudan from genocide, war crimes, ethnic cleansing and crimes against humanity. Bearing that in mind, it is highly desirable that the Security Council consider the following options which, if implemented, could reduce the risk of atrocity crimes.

First, while I commend the Security Council for its strong condemnation of ethnically fuelled violence and hate speech, it should continue to insist on preventing further incitement to discrimination, hostility, and hatred that could lead to more violence. The Security Council should also publicly call for the political leadership of South Sudan to immediately condemn and take steps to prevent any act of discrimination, hostility, and hatred that could constitute incitement to violence. The Security Council must specifically request that UNMISS monitor, investigate and report on all incidents of hate speech and incitement to violence, and be provided full access by the Government of South Sudan to do so.

All support should be given to UNMISS to carry out all the Mission's mandated tasks, in particular, tasks that relate to the protection of civilians and human rights monitoring, which could contribute to preventing

future violence. The Government should be pressed to ensure that freedom of movement is granted to all United Nations personnel, both civilian and military, to conduct patrols, investigate and report on incidents, and conduct community-based conflict prevention and resolution initiatives.

The Security Council might also consider requesting that the Panel of Experts on South Sudan established pursuant to resolution 2206 (2015) investigate and report on individuals, within the country and in the diaspora, who are inciting violence, have perpetrated targeted ethnic killings or are propagating hate speech. Given the current scenario, it is urgent that the Security Council impose an arms embargo. The proliferation of arms is devastating and could have a significant impact.

Similarly, the sanctions regime should not be limited to a few individuals; freezing assets and restricting offenders' movements should be imposed more widely. South Sudan's top officials have benefited both financially and politically from the war, and could not maintain the status quo without the free flow of funds and arms into the country. There is a known system of international banks, businesses, weapons traders, and intermediaries that has contributed to the perpetuation of the conflict through their dealings, and the Security Council certainly has the power to bring its influence to bear on the situation.

The Security Council should also continue to stress the importance of an inclusive political process, accompanied by a cessation of hostilities. If some sectors of the population continue to feel excluded from participation, there is little incentive for them to pursue peace. Until the formal peace process is reinstated, there is much that can be done in terms of facilitating dialogue. What surfaced over and over in my discussions last week was the presence of long-standing anger, combined with misconceptions and preconceived notions. These need to be addressed if there is to be a change to peace.

All of the actors with whom I met stressed that there was an urgent need to engage in both community and national level dialogue and I was encouraged by their eagerness to engage in such processes. Community and religious leaders, provincial level authorities and UNMISS colleagues shared experiences of efforts to promote communication. Such efforts should be supported by the international community. Once there is greater stability and redoubling of efforts for

dialogue, I urge the establishment of the commission of truth, healing and reconciliation by the Government, foreseen in the peace agreement.

Beyond reconciliation, justice and accountability were common themes in my discussions with the people of South Sudan. Even as the conflict becomes more complex, the effects of the December 2013 outbreak of violence and subsequent violence linger, and human rights violations committed during the past few years have not been adequately documented or accounted for. I welcome the commitment of the signatories of the peace agreement to establishing a hybrid court to prosecute cases of genocide, crimes against humanity and war crimes, as well as other serious crimes under international law. It is my sincere hope that the Council's discussions with national authorities and with the African Union may move such plans forward. In the interim, I urge the Security Council to call for the establishment of an investigation mechanism that would collect and preserve evidence that could later provide evidence to national or international courts. That would help in assessing the full scale of violations and track patterns in violence.

Finally, while the State has the primary responsibility to protect its populations, other States, regional organizations and the international community can assist its protection efforts. Indeed, neighbouring countries have an intrinsic interest in doing so. The involvement of neighbouring countries in domestic conflicts with resulting spill-over beyond national borders has occurred in the Democratic Republic of the Congo and Somalia, to name a few. Regional action needs to be reinvigorated. African leaders must coalesce around a unified strategy to prevent an escalation of violence. Given the different regional interests and allegiances of the political leadership in South Sudan, any political strategy must be endorsed by all national actors if it is to succeed. The Security Council should strengthen its cooperation with the African Union Peace and Security Council and relevant actors within the Intergovernmental Authority on Development in order to move that process forward.

Last week, I saw all the signs that ethnic hatred and the targeting of civilians could evolve into genocide if something is not done now to stop it. I urge the Security Council and member States of the region to unite and take action.

The President (*spoke in French*): I thank Mr. Dieng for his briefing.

I have the honour to present this briefing to the members of the Council in my capacity as Chairman of the Committee established pursuant to resolution 2206 (2015) concerning South Sudan. I will outline the main conclusions and recommendations contained in the final report of the Panel of Experts (S/2016/963). I will speak briefly about the discussion that followed the presentation of the Panel of Experts' report by its Coordinator on 11 November and report on the activities carried out by the Committee and the Panel of Experts since my previous briefing (see S/PV.7628) in the Chamber on 19 February. In its progress report, the Panel of Experts analysed the security situation, the political process and the humanitarian situation in South Sudan, which I shall briefly discuss.

With regard to the political situation and security conditions, the Panel of Experts found that they had seriously deteriorated and felt that an escalation of violence that would herald the dry season in November and December was expected. In paragraph 10 of its progress report, the Panel of Experts stated that the principal factor driving the extension and expansion of the war in South Sudan was the belligerent attitude of the Sudan People's Liberation Movement/Army (SPLM/A) in Government, led by President Salva Kiir, on the one hand, and the Sudan People's Liberation Movement/Army (SPLM-IO) in Opposition, led by Riek Machar, on the other.

As Special Adviser Dieng has just stated, the Panel of Experts underscored that the war in South Sudan is

"increasingly characterized by the targeting of civilians on a tribal basis, given that it has evolved into what is widely perceived to be a zero-sum confrontation between the Dinka and non-Dinka tribes in many areas" (S/2016/963, para 13).

Incentives to violence, in the form of open letters, official statements or messages posted on social networks, have also multiplied, as illustrated by the Panel of Experts. The security situation has become increasingly unstable because of the economic situation. In that regard, the Panel of Experts stated that the Transitional Government of National Unity had not yet demonstrated its commitment to sound economic governance practices.

A large section of the report of the Panel of Experts is devoted to the information it has gathered on the extension of the war, in particular, conflicts in the region of Equatoria, in which numerous cases of conflict-related sexual violence have been identified, as well as the destruction of villages, looting and killing of civilians including women, children and the elderly. Yei County, Equatoria, was particularly affected by the recent acts of violence. The Panel reported deliberate attacks on civilians, including extrajudicial executions, rape, kidnappings, forced recruitment, arbitrary arrests and detention, torture, beatings and harassment, intimidation and looting and the destruction of the livelihoods and assets of civilian populations. The Panel concluded that atrocities and flagrant violations of human rights and international humanitarian law were being committed in Equatoria.

In its report, the Panel indicated that it had conducted several investigations, including one into the purchase of the L-39 jet, which was delivered after the formation of the Transitional Government in April as it sought to discharge its mandate to collect, review and analyse information concerning the supply, sale and transfer of arms and related materiel in the country.

With regard to the political situation, the Panel of Experts found that it had deteriorated considerably, as the permanent ceasefire provided for in the Agreement on the Resolution of the Conflict in the Republic of South Sudan had not been respected by the parties following the clashes in July. The Panel also considered that the resumption of the clashes in July had undermined the meagre progress made in the implementation of the Agreement. The Panel identified only two cases where progress appeared to have been made in the establishment of institutions, namely, the establishment of the provisional National Legislative Assembly and the approval of cantonment sites in the regions of Equatoria and Bahr el-Ghazal, which have been challenged. In addition, the Panel of Experts identified acts being committed that were at cross-purposes with the security sector reform provided for in the Agreement. The SPLA had continued to accept new contingents and, representatives of SPLM/A in Opposition who had been appointed by Machar had been replaced by persons affiliated with Taban Deng Gai. According to the Panel of Experts, legislation and regulations adopted in 2016 include provisions that are not in line with international best practices as provided for in the Agreement. The Panel concluded that these

measures had led to a stalemate in the reconciliation and political processes in South Sudan.

With regard to the humanitarian situation, the Panel of Experts reported that there was an acceleration in mass displacements of people. On 16 September, when the Panel Coordinator submitted the Panel report on its activities over the previous 120 days, the number of refugees fleeing South Sudan had reached 1 million persons. When the Coordinator briefed the Committee on 11 November, he reported that in two months the number of refugees had increased by a further 250,000 people, with most of the refugees crossing the border in recent weeks fleeing Equatoria.

Some 4.8 million people, or one-third of the population living in South Sudan, faced severe food insecurity approaching famine levels in some areas. The Panel of Experts also outlined what it viewed as relentless obstruction of the efforts of the United Nations and humanitarian missions and attacks against them. The Panel reported that the most senior members of the SPLM/A in the Government consistently demonize the United Nations. The Panel gave examples of hostility towards the international presence in South Sudan through official statements and social media, which was confirmed by sustained and systematic violations of the status of forces agreement, with 19 violations in September alone. The situation for humanitarian workers in South Sudan was particularly serious, given that 67 of them had been killed since the beginning of the conflict in December 2013. Furthermore, three humanitarian workers were killed in a single week in October.

With regard to humanitarian access, 640 incidents were reported in the first nine months of 2016, and in September alone 81 incidents were reported, 59 of which involved violence against humanitarian personnel and the property of humanitarian agencies.

The Panel made three recommendations in its report.

First, it reiterated a recommendation from its January 2016 final report, in connection with its initial mandate, namely, that in order to achieving the Council's objective of an inclusive and sustainable peace in South Sudan, the Committee should designate the high-level decision makers who would be responsible for actions and policies that threaten the peace, security and stability of the country and who have the means, through their power and influence, to change the course of the

war. In this regard, the Panel recalled the confidential annex it had provided to the Committee in January, which included the names of these decision makers.

Similarly, the second recommendation in the Panel's report was a reiteration of a proposal that it had made twice during its initial mandate, namely, that the Council should impose a general arms embargo on South Sudan in order to prevent further destabilization of the security situation, and in particular the ongoing large-scale human rights violations. The Panel concluded that these violations were directly related to the fact that the supply of arms and ammunition to non-State actors and groups was done by all sides.

The Panel's third recommendation was aimed at promoting the national implementation of the sanctions measures taken against six individuals designated by the Committee in July 2015. In this regard, the Panel recommended reaching out to the banking regulatory authorities in several States in the region as well as issuing a press release encouraging State and commercial banks to implement asset freezes.

With regard to the examination of the Panel's findings and recommendations in the report, the ensuing discussion among members of the Committee was comprehensive and spirited. The Coordinator heard a wide variety of comments from members and answered many questions. The Committee's consideration of the proposed action in connection with the Panel's recommendations is ongoing, with special focus on the two recommendations specifically addressed to it.

I would also like to provide the Council with a brief overview of the Committee's work since 19 February, when I last briefed the Council (see S/PV.7628). On 14 March, the Committee and the Working Group on Children and Armed Conflict held joint informal consultations featuring a briefing by Ms. Leila Zerrougui, Special Representative of the Secretary-General for Children and Armed Conflict, on the impact of the armed conflict on children in South Sudan. Citing the names of perpetrators from both sides, the Special Representative called upon the Committee established pursuant to resolution 2206 (2015) concerning South Sudan and its Panel of Experts to continue to investigate and examine the individual and command responsibility of all parties to the conflict for attacks committed against children.

On 15 July, members of the Committee were briefed by Coordinator of the Panel of Experts, whose mandate

was extended by resolution 2290 (2016), in connection with the Panel's programme of work. On 16 September, the Committee was briefed by Ms. Zainab Hawa Bangura, Special Representative of the Secretary-General on Sexual Violence in Conflict. Ms. Bangura told the Committee that it was disturbing to report that the war in South Sudan continued to be waged on the bodies of women and girls. She reiterated that addressing sexual violence in conflict required national ownership, leadership and responsibility and that the authorities in South Sudan were not carrying out these three crucial functions in accordance with the letter and spirit of the commitments they had made. Ms. Bangura noted, *inter alia*, that, in the light of the continuous systematic patterns of sexual violence in South Sudan, and this in spite of the formal commitments undertaken by the parties, the Committee should consider activating targeted sanctions against perpetrators of sexual violence and reiterated her Office's willingness to work with the Committee and the Panel in this regard.

Before concluding, I would like to remind delegations that I intend to travel to South Sudan, Ethiopia, Uganda and the Sudan from 10 and 19 December. While I had already visited South Sudan in early September as part of the Security Council mission, my trip in December is being undertaken with a view to implementing paragraph 11 of resolution 2290 (2016), by which the Security Council had emphasized the importance of regular consultations with concerned Member States, international, regional and subregional organizations, and in particular neighbouring States and States of the region, in order to ensure the full implementation of the measures and encourage the Committee to consider, as appropriate, visits to selected countries by the Chair and/or Committee members. I am hopeful that all four States will facilitate this visit by the Chair, which will be the first such visit to take place by the Chair of the 2206 (2015) Committee.

I now give the floor to members of the Security Council.

Ms. Power (United States of America): Let me start by paying tribute to Special Representative Løj for her briefing, but above all for her more than two years of service in one of the most difficult Missions on the planet. We could tell, from our two trips to South Sudan — one at the beginning of her deployment and the other, recently, at the tail end of her deployment — just how much of herself she had invested in the Mission. We saw the kind of relationship she had with local South

Sudanese staff, many of them terrified by the events unfolding around them, the relationship she managed to have even through difficult times with Government and opposition actors and the respect that people in civil society had for her.

For me watching Special Representative Loj dodge bullets in July, stay to be with the people of South Sudan, open the United Nations gates with the support of the Secretary-General and the Department of Peacekeeping Operations, and shelter local staff who feel that they have no place to go or sleep other than under their desks because they were so afraid was reflective of her bravery but also of her compassion for the people of that country. She will be missed by a lot of people.

I thank the Special Adviser to the Secretary-General on the Prevention of Genocide, Mr. Dieng, for taking the trip that he took and for when he took it, his candour and the level of the detail in his briefing, as well as the knowledge that he brings from other contexts and history. I believe that it is chastening for us all. I thank Ambassador Seck for his leadership of the Committee established pursuant to resolution 2206 (2015) concerning South Sudan and his dark briefing, which was in keeping with the general tenor here today.

South Sudan is a nation on the precipice. As Mr. Dieng said upon completing his visit to the country last week, there is "a strong risk of violence escalating along ethnic lines with the potential for genocide". When the United Nations designated Special Adviser on the Prevention on Genocide reaches the conclusion that genocide might be imminent, it should serve as a wake-up call for us all. As he so aptly put it last week in Juba, all the ingredients exist for the already horrific violence to escalate dramatically. Let me touch upon a few of those ingredients.

First, as has been stressed by our briefers, we have seen violence escalating not merely along political lines — which was bad enough — but also now dramatically along ethnic lines. This is not an assessment that anyone reaches lightly. It is an empirical assessment from a range of credible sources, including the Panel of Experts on South Sudan, the Secretary-General, serious independent human rights groups and independent journalists. We heard this ourselves with our own ears from petrified and thoroughly unscripted civilians. As just one example — unfortunately, there are too many — Sara Kakuni, who fled her village on

the outskirts of Yei, is now living in a refugee camp in Uganda from where a lot of our information is coming because reporters are able to debrief those who arrive there often with nothing more than the shirts on their backs. This young woman told a reporter that she and her two young daughters were kept awake at night by gun shots. She said,

"[w]hen it stops, that is when they are slaughtering people with knives and pangas. Dinkas will open your door and kill you if you do not have their tribal scars".

This is the ethnic dimension.

Secondly, we do not have adequate forces in place to stop mass atrocities should the violence continue to escalate, as all those who watched South Sudan closely deem likely. The Secretary-General has said that even if the soldiers and police personnel deployed in the United Nations Mission in South Sudan were to use all necessary means to protect civilians under attack, as the Security Council has mandated them to do, they "do not have the appropriate reach, manpower or capabilities to stop mass atrocities" (*S/2016/951, p. 16*). And that is a big "if" because, as we all know, the South Sudanese Government continues to block peacekeepers from conducting the basic operations, such as the routine patrols that are necessary to even have a chance of protecting civilians. Many troop contributors cannot get access to their equipment. They are either delayed or blocked. These are capabilities that are being systematically denied to those who are there.

Even if they had them, the Secretary-General assesses that they would not be enough. The shortage of appropriate manpower is in part because the South Sudanese Government also continues to stand in the way of the deployment of the 4,000-strong Regional Protection Force to Juba, which the Council authorized more than three months ago — a force whose deployment would give an important and much needed boost to the 14,000 soldiers and police officers who are currently deployed.

The third ingredient involves a growing climate, which we have seen, of incitement, fear and intimidation. Government officials openly threaten journalists, as when the Minister of Cabinet Affairs, Martin Lomuro, with whom we met in Juba, told journalist at a press conference in September, "[i]f you are going to say something which is not correct... we will go after you, whichever hole you are in". When the Council visited

the country that same month, we heard directly from civil society leaders, felt their palpable sense of fear and, in many instances, were made aware of the threats that they received because of their work. A group that calls itself the Angry Youth of former Northern Bhar el-Ghazal posted the following message on Facebook directed at civilians in the southern Equatoria region:

"We are going to take a quick revenge attack against Equatorians anywhere and anyplace from now on. We will find you and kill you. We will despicably and barbarically kill you."

If these were just words or incitement, that would be one thing, but as another recent example — once again, I stress that are too many — 20-year-old Abraham Aloro was recently interviewed in the Bidibidi refugee camp in Uganda shortly after fleeing an attack on his home town of Yei, the same town as Ms. Kakuni's. Aloro said,

"[a]bout two weeks ago, soldiers came to my brother Emmanuel's house at night and demanded that he open the door. They accused him of joining the rebels. He had not, but they cut him to death with pangas, that is machetes".

Aloro's brother was 24-years-old.

And yet those who perpetrate these attacks, hack innocent civilians to death, burn down their homes, rape women, conscript men and young boys to fight and threaten journalists and human rights defenders enjoy nearly total impunity. The same goes for those who incite others to carry out such hateful acts. The message that the Government sends by not holding them accountable is crystal clear: "Keep at it; keep doing what you are doing".

The ingredients that I have described and that others have in more powerful and greater detail are ones that create a climate conducive to massive atrocities. With each of these factors, we are reminded of all of the warnings that the United Nations missed or saw but chose to ignore in places like Srebrenica and Rwanda in the 1990s. Given the accumulation of warnings, we have lost the right individually and collectively to act surprised in the face of even greater atrocities in South Sudan. None of us can say that we did not see it coming. The question therefore for us is — what will we do? We can start by acknowledging the deeply precarious situation on the ground and the fact that

the international community's current approach is not stopping the cycle of violence.

Let us not treat the leaders of South Sudan as though they are responsible and credible interlocutors but engage them as the cynical actors whom they unfortunately have shown themselves to be, too often putting their short-sighted personal interests above the welfare of millions of their own people who are suffering. Let us stop asking for permission to carry out a mandate authorized by the Security Council in the interest of peace and security and, instead, start demanding it to unite around that message and mandate. Let us stop acting as if the principle of sovereignty, as critical as it is to the functioning of the international order, gives the South Sudanese Government or any Government license to commit mass atrocities against its own people or fuel a humanitarian crisis that has left millions of lives hanging in the balance.

In the coming days, the United States will put forward a proposal to impose an arms embargo on South Sudan and targeted sanctions on the individuals who have been the biggest spoilers to achieve lasting peace in the country. In the interest of the people of South Sudan and the region, this constitutes an important step towards curbing the ongoing violence perpetrated by the Government and opposition forces against civilians. Let me anticipate some of the comments that we will hear today from countries expressing scepticism with regard to these steps.

First, we know that no embargo can completely stop weapons from entering the country. To state the obvious, we also know that an arms embargo will not remove those weapons already in South Sudan, but an arms embargo could have a significant impact on the ground, particularly with regard to preventing the acquisition of arms that occurs daily. As we sit here, more arms are flowing into that country, including the acquisition of heavy weapons, aircraft and military vehicles that have been used to inflict such devastating violence in the conflict and were used in the conflict in Juba in July, during which United Nations staff, including our Special Representative and others, had to take shelter and duck the incoming gun fire aimed at them.

As the crisis escalates, we should all flash forward and ask ourselves how we will feel if Adama Dieng's warnings come to pass. We will wish we had done everything we could to hold spoilers and perpetrators to

account and limit to the maximum extent that we could the inflow of weapons. As we have learned elsewhere, an arms embargo is effective if there is a broad and robust commitment to its enforcement. Imposing new targeted sanctions designations will isolate the individuals who have consistently been responsible for the acts that have brought South Sudan to this moment and caused so much suffering. Such sanctions will limit the ability of such individuals to travel freely as they are doing now across the region or to move assets that could be used to fund further violence. There is no good reason why we would not deprive those who have shown a willingness to commit mass atrocities of the means of doing it more efficiently.

There is also no good reason why we should not try to prevent at least some weapons from getting into the hands of people who have consistently used them to kill innocent men, women and children. Those who have argued against taking such modest steps in the face of a conflict that has so many ingredients of mass atrocities have honestly had months to show that an alternative approach can work and help those people on our visit who cried out for our support for those actions. The approach we have been pursuing has been an approach of dialogue, of patience, of waiting for the next South Sudanese Government Cabinet meeting or the next letter to the Security Council — letters that include happy talk and bureaucratic language but describe no material change in the Government's behaviour. They are letters that also include falsehoods, including, as we saw yesterday, and as the Special Representative of the Secretary-General just reminded us, blatant misrepresentations.

The United States advocates continuing our engagement. We agree with all those who stress that dialogue is critical. However, we must complement that engagement with steps that show a far greater seriousness of purpose and steps that show that the Council means what it says and intends to actually perform the mission that was given to us, which was to enforce international peace and security, support our peacekeepers, take seriously the warning of multiple United Nations officials and protect civilians in desperate need.

Mr. Rosselli (Uruguay) (*spoke in Spanish*): I confess that I am very pleased to see that a number of delegations will be accompanying me in making official statements before the Council. Without prejudice to the statements that they might want to make in the informal

consultations, I understand that making statements in public contributes to greater transparency in the work of this Council.

Allow me first to express my delegation's gratitude to the Special Representative of the Secretary-General and Head of the United Nations Mission in South Sudan (UNMISS), Ms. Ellen Løj. We commend her for her work over the past two years and wish her every success in her future endeavours. We would also like extend our thanks to the Secretary-General's Special Adviser for the Prevention of Genocide, Mr. Adama Dieng, for his resounding briefing. We also thank Ambassador Seck for his briefing on the sanctions committee.

My delegation expresses its deepest concern regarding the current situation in South Sudan. I will start my remarks by referring to those who are suffering most from the conflict — civilians. The intensification of violence, particularly since this past July, has had devastating consequences for civilians. There have been violations of human rights and international humanitarian law, including extrajudicial executions, forced disappearances, rapes and other instances of sexual assault, arbitrary imprisonment, attacks on civilians, attacks on medical facilities, humanitarian aid workers, medical personnel and journalists.

Those violations of human rights are taking on an ethnic aspect. Hateful rhetoric is increasing across the entire country, which is entirely alarming given that such rhetoric could produce mass atrocities. The humanitarian crisis continues to grow in intensity and magnitude as a consequence of the armed conflict in various regions of the country, the deterioration of food security and the worsening of the economic situation.

The figures coming from the United Nations are concerning: more than 1 million refugees, more than 1.5 million displaced persons, close to 5 million people who are severely food insecure. We note, as mentioned by Mr. Dieng, that the degree of inaction in the implementation of the peace agreement, the humanitarian crisis and the proliferation of arms in the country are all ingredients that may lead to a dangerous escalation of violence. My delegation is concerned about a scenario in which the lives of civilians are in imminent danger and in which weapons are proliferating. We are seriously evaluating measures that could be taken to mollify the risk of more lost lives.

I urge all those involved in the conflict and the entire international community to help end the suffering

of the civilian population of South Sudan. In that sense, we ought to continually remind the South Sudanese Government that it is its principal responsibility to protect its own citizens. The Government must offer that protection regardless of the ethnic background or political affiliation of its citizens. Furthermore, the political leaders of South Sudan must act responsibly by rejecting any incitement to violence and opting for the path of dialogue. We continue to call for such action despite the fact that the actions taken by the Government seem to fall directly contrary to what we advise.

It is critical that immediate measures be taken in order to resume the political process and seek a peaceful solution to the conflict. My delegation believes that such measures would include the following three aspects.

First, the parties to the conflict must immediately establish a ceasefire. Secondly, the parties to the conflict must commit to resuming a dialogue, which should be transparent, inclusive and in good faith. The Security Council should play a more active role in the process of dialogue in South Sudan and serve as a pillar of support for the African Union. The Intergovernmental Authority on Development and other interested parties that might be involved. Thirdly, urgent measures must be taken to put an end to impunity. It is important to maintain efforts to implement chapter V of the peace agreement with respect to transitional justice, accountability, reconciliation and healing. On that point, we take note of the African Union's intentions to establish a hybrid court as soon as possible. We believe that the establishment of such a tribunal would be a positive, given that accountability for the grave violations of human rights in South Sudan is lacking and does nothing but perpetuate the conflict.

In another area, we are struck by the letter sent by the Government of South Sudan to the Council, with an annex containing the agreement between the Government of South Sudan and the Security Council about the implementation of the joint communiqué of 4 September. It would be helpful if the authorities of South Sudan were more careful with respect to the precision of their official communications with the Council.

Finally, I would like to reference the work of the United Nations Mission in the Republic of South Sudan (UNMISS), which has a very ambitious and bold mandate and which works in an extremely complex and dangerous operational theatre. It is fundamental that

UNMISS be able to fulfill its mandate, and we therefore urge South Sudan to lift any restrictions on the Mission in keeping with the commitments undertaken in the status of forces agreement.

As mentioned by Mr. Ladsous on a number of occasions when he has spoken on the topic of the United Nations Mission in South Sudan, I am pleased to learn that the conclusions of the special independent investigation on the violent events that took place in Juba between 8 and 25 July and the response of UNMISS with regard to the protection of civilians has been taken into account by the Secretariat and will be implemented with oversight by a task force led from Headquarters.

It is also unavoidable and necessary to mention that, for the third time, we are seeing low-level results from UNMISS in terms of protecting civilians. This would appear to indicate that it is also very likely that there were also low-level results in the actions that should have been taken to prevent the problem from being reproduced. In that sense, we understand that there are three aspects that require special attention in order to avoid new failures in the protection of civilians.

First, we must review the processes for selecting leaders for the most relevant positions. Secondly, we must review the operational concept of UNMISS, the orders and operational procedures provided by the Mission for the protection of civilians and the use of force as required. Thirdly, we understand that it is necessary to require, as is done in situations of sexual exploitation and abuse, that the criminal and disciplinary norms of contributing countries take action in situations in which there is a failure in the protection of civilians, so that accountability does not end in simple repatriation, but reaches its furthest consequences. We especially believe that this last measure contributes to achieving an effective protection of civilians, which is the most sensitive job of peacekeeping and that there must be zero tolerance for failures in that regard.

In conclusion and as expressed by Ambassador Samantha Power a few moments ago, I would like to echo the Secretary-General's special report (S/2016/951) to the effect that United Nations peacekeeping operations are not equipped with the scope, staff or capacities to put an end to mass atrocities from occurring.

Mr. Rycroft (United Kingdom): I thank the briefers. I would like to begin by paying particular tribute to Special Representative Ms. Ellen Løj for leading the

United Nations Mission in South Sudan (UNMISS) through an extremely difficult period. As all three briefers have made so painfully clear, South Sudan is deteriorating before our very eyes. Ethnic tensions have reached a breaking point. The humanitarian situation now rivals the worst on the continent of Africa and the political talks that could have brought peace to millions now appear to be further from success than at any point in the country's brief history. We just cannot stay silent in the face of such tragedy. Here are the three things that we need to do to help the people of South Sudan.

First and foremost, we need to recognize that this is no ordinary civil war. Mr. Adama Dieng just said genocide does not happen overnight. The warning signs are there. That should play over and over our minds. He is telling us to open our eyes. He is telling us to act before it is too late. If we fail to do so, the consequences will be unspeakable. Just think, if that horrific process, if that tragedy were to become a reality, how could we sit around this table and ask what could we have done? Instead, today, we need to choose to take a different path.

This brings me to my second point. On the eve of South Sudan's independence, we unanimously adopted resolution 1996 (2011), which authorized the creation of UNMISS. Since that day, South Sudan has landed on the Council's agenda 70 times. On how many of those occasions has the Council spoken with one voice? Is it not time for us to unite to give the people of South Sudan hope? I know the United Kingdom is willing to do so. I know that the United Kingdom can and must play a greater, even more significant part in that effort as a member of the troika and as a bilateral partner. But this effort extends beyond any single Government. In fact, beyond the confines of this Chamber. We need a truly global effort — one that includes the members of the Intergovernmental Authority on Development, the African Union, the United Nations, and especially one that requires the political will, the political courage of South Sudan's leaders. They must admit to the scale of the problem and commit to being part of an inclusive and peaceful political solution.

My third point is that we already know the steps that need to be taken: an immediate end to the fighting; an immediate end to obstructions on UNMISS, the Regional Protection Force and humanitarians; an immediate end to hate speech and incitement; and a redoubling of collective political effort behind an inclusive political conversation. The situation in South

Sudan described today is dark. It is grim. But let us make no mistake that, as Ms. Ellen Løj said, it can get darker. For this reason, we need to listen to Mr. Adama Dieng and use the tools that we have to prevent that from happening. I agree with all of his proposals and that includes his point that it is urgent for the Security Council to impose an arms embargo. The United Kingdom has consistently called for that and we support the United States' proposal. We cannot stand idly by while the people of South Sudan have weapons used against them by their fellow citizens. There is no reason, given these conditions, to allow the continued flow of weapons to those who could eventually turn them on civilians.

Let me tackle concerns about an arms embargo head on. First, an arms embargo is no longer a matter of political leverage — we have other tools. Cooperation around a political process and stopping the flow of arms are not mutually exclusive. Secondly, we know that an arms embargo can be implemented because of the limited infrastructure in South Sudan — only one main tarmac road and only four main airports. Thirdly, we know that, with an embargo, the operation of heavy weaponry will be limited and the flow of ammunition will be reduced. Therefore, we know that an arms embargo will have an impact in the short, medium and long term. We know all the answers to all of those questions and we know that stopping these weapons will be a step in the right direction in this matter of life and death.

No matter how dark the situation is in South Sudan, it can get worse, but it can also get better, provided we take action. So let us act collectively and with authority, wisely using the tools at our disposal, to get where we are all aiming, namely sustainable peace and freedom from fear for the people of South Sudan.

Mr. Ramírez Carreño (Bolivarian Republic of Venezuela) (*spoke in Spanish*): We would like to thank Ms. Ellen Margrethe Løj, Special Representative of the Secretary-General and Head of the United Nations Mission in the Republic of South Sudan (UNMISS); Mr. Adama Dieng, Special Adviser to the Secretary-General on the Prevention of Genocide; and Ambassador Seck, in his capacity as Chairman of the Committee established pursuant to resolution 2206 (2015) concerning South Sudan, for their briefings.

Despite the fact that there have been three years of conflict, the situation in South Sudan remains

complex and volatile. Its effects are manifested at different levels. In the area of security, armed clashes among the parties continue, in violation of the cessation of hostilities agreements. Those clashes have kept UNMISS headquarters and the civilian settlements right in the line of fire. Examples of this would be Malakal in February and Juba in July. Similarly, the political crisis has limited the implementation of the peace agreement of August 2015, owing to the lack of a structural approach to the conflict, which leads to the exile of some of the parties to the agreement and a lack of inclusivity in the political process, which calls into question the legitimacy of the transition institutions. Added to that is the dire economic situation, which is a result of the fall in oil prices.

We are also concerned at the continuing violations of human rights, including sexual and gender-based violence, the continued recruitment of children, and, more recently, the incendiary pronouncements filled with hatred and incitement to violence among the various ethnic groups living in South Sudan, which could result in genocide, according to the Special Adviser to the Secretary-General, Mr. Adama Dieng.

Similarly, the humanitarian crisis facing that country, as manifested by the existence of more than 2.6 million internally displaced persons, including more than 1 million refugees in neighbouring countries, was aggravated by the incidents of violence in Juba during the month of July. At least 4.8 million South Sudanese are food-insecure, while in the last three years severe acute malnutrition among children under five years of age has increased by more than 150 per cent.

Faced with that dramatic reality, we are convinced of the fundamental role played by UNMISS, particularly with regard to the protection of civilians, its support for the political process and the creation of conditions for the delivery of humanitarian assistance. We must also bear in mind the adverse conditions under which the Mission operates on the ground, including logistical, operational and political challenges. We hope that those problems can be resolved promptly within the framework of the technical support group working with UNMISS and the Transitional Government of National Unity, and not the Salva Kiir regime, as described by the Panel of Experts on South Sudan established pursuant to resolution 2206 (2015) in its recent interim report (S/2016/963).

In addition, we welcome the opportunity to encourage the Mission to take all necessary means to improve the security and protection situation inside the civilian camps in Bentiu, which are the biggest in South Sudan, with 103,494 internally displaced persons, and have the highest number of distressing incidents, like those recorded in Malakal and Juba. We believe that it would be possible to introduce some of the positive practices implemented in other areas, such as the establishment of a zone free of arms around the perimeter.

We reiterate that it is not possible to achieve a military solution to the conflict afflicting the country and that we must combine efforts so as to revitalize the political process. We therefore decisively renew our full backing for all efforts and initiatives in that direction that could help the former President of Botswana, Festus Mogae, at the helm of the Joint Monitoring and Evaluation Commission, working with the former President of Mali, Mr. Alpha Konaré, who is the High Representative of the African Union for South Sudan, and the Intergovernmental Authority on Development for Eastern Africa.

We agree with the Secretary-General on the need to elaborate a clear political strategy to address the conflict in South Sudan and the region in a comprehensive way and to recognize the need to prevent the situation on the ground from escalating. That strategy should be marked by national ownership and include aspects such as the agreement to and effective implementation of a cessation of hostilities, including the demilitarization of the main cities of the country, given the fact that the dry season is coming soon and the troops will then have a greater ability to deploy on the ground. There is also a need to follow up on the necessity of reaching a solution to the political conflict and of adopting effective measures on disarmament and quartering the troops.

A solution needs to take into account the need to put into practice reconciliation initiatives and confidence-building measures between the parties in conflict, in order to prevent another escalation and the commission of mass atrocities, so that an inclusive dialogue can be fostered in which all voices, including dissenting ones, can be heard and taken into consideration. On the other hand, we consider of paramount importance the effective application of the Agreement on the Resolution of the Conflict in South Sudan, including its provisions on matters of security and transitional justice, for the purpose of ensuring,

among other things, that people will be held accountable, thereby breaking the prevailing cycle of impunity. That is the only framework for putting an end to the crisis and for reaching a lasting and sustainable peace in South Sudan. We also believe that such an approach serves to promote measures for the prevention and mitigation of local conflicts and for fostering initiatives that aim at reconciliation and the creation of a favourable climate for the existence of a culture of peace in the country, particularly at the intercommunal level.

In regard to the Regional Protection Force, we reaffirm that the activities of the Force ought to have the proper consent of the host State and be fully in accordance with the basic principles of peacekeeping operations. We are of the opinion that the Transitional Government of National Unity is advancing in that direction, as is reflected in its recent communication to the Council. Our delegation believes that the Security Council ought to act with caution, but with full determination, in its handling of the crisis.

In that regard, we wish to report that we will be circulating a brief on a draft press statement on the situation in South Sudan. We hope that we can count on the support of member States of this body in such times of vital importance and that the Council will maintain its unity, so that it can have a positive influence that contributes to reaching a peaceful resolution to the conflict that afflicts that brotherly African country.

Finally, I wish to ask a follow-up question of Mr. Dieng. Could he provide us with more detailed information on the plan of action to prevent the commission of criminal atrocities in South Sudan and on any measures being taken in the Mission at the base level in order to resist the propagation of hate speech, incitements to violence and interethnic strife in the country?

Mr. Bessho (Japan): I appreciate the opportunity to speak about this pressing matter. I would like to thank Ms. Ellen Løj, Special Representative of the Secretary-General, and Mr. Adama Dieng, Special Adviser on the Prevention of Genocide, for their detailed briefings. I listened to both briefings carefully and with great concern. Japan recognizes that, while Juba is relatively calm at this moment, the security situation in South Sudan as a whole is very tense, with frequent armed clashes and killings of civilians. We cannot be optimistic about how things will unfold and should continue to closely monitor the security situation in the country.

As many speakers before me have noted, the question now is how the Security Council can improve the situation. Our credibility is on the line. Whatever action is taken, our ultimate goal should be to advance the political process. While the will of the parties is of paramount importance, the engagement of neighbouring countries is the key factor. The decision by Kenya to withdraw its contingent only further highlights the importance of the role of South Sudan's neighbours. Many points from the special report (S/2016/951) on the review of the mandate of United Nations Mission in South Sudan (UNMISS) are useful in that regard. It is indispensable that the United Nations coordinate with the African Union (AU) and the Intergovernmental Authority on Development (IGAD), the key players supporting the political process, so as to more effectively facilitate the development of the political process. We highly commend the Secretariat for its efforts, in consultation with the AU and IGAD, to devise a comprehensive political strategy aimed at achieving a cessation of hostilities and at bringing the parties back to an inclusive political process. In that regard, we recognize the importance of the engagement of AU High Representative Konaré.

We welcome the suggestion to expand UNMISS patrols around the protection of civilians sites and to enhance cooperation with humanitarian actors. Increasing UNMISS interaction with communities and local authorities is also important.

Having carefully listened to the remarks by Mr. Dieng, we are deeply concerned about rising ethnic tensions in the country. In that vein, the proposal by the AU Commission to establish an over-the-horizon force to respond to possible mass atrocities caught our attention. We hope to see further consultations on the matter between the United Nations and the AU, including clarification as to how the proposed force's mandate would be differentiated from that of the UNMISS Regional Protection Force.

Japan, as an UNMISS troop-contributing country, attaches great importance to creating an environment in which effective activities can be safely undertaken. In that regard, we call on the Transitional Government of National Unity to cooperate further and more seriously with the United Nations. It is Japan's sincere hope that South Sudan will achieve peace and stability and make strides on the path to development. Japan, as a friend of South Sudan, has supported the country and has dispatched an engineering unit to UNMISS since

the independence of the country. Japan will continue to contribute to South Sudan's peace and security going forward.

Finally, on behalf of the Government of Japan, I would like to express special thanks to Ms. Ellen Løj for her very hard and dedicated work on the ground in an extremely difficult environment.

Mr. Van Bohemen (New Zealand): I would like to begin by thanking Ms. Ellen Margrethe Løj for her briefing and service to the United Nations, particularly in South Sudan. I would also like to thank Mr. Adama Dieng for his frank and clear briefing of the risks that we now face in South Sudan, as well as the President, Mr. Fodé Seck, for his similarly honest assessment of the situation as seen by the South Sudan Sanctions Committee.

As we have heard, the situation in South Sudan is appalling. The peace agreement negotiated last year is moribund, if not dead. There is no political process occurring, and the key actors are not inclined in any serious way to join one. We had the horrific outbreak of violence in Juba in July, and the response by the United Nations Mission in South Sudan (UNMISS) was the subject of a searing report by the Independent Special Investigator appointed by the Secretary-General. Since then, Sudan People's Liberation Army in Opposition (SPLA-IO) troops and other militias continue to skirmish with each other and maraud about the country, committing atrocities against each other and innocent civilians, to the point where we are now being warned of the real risks of a full-scale civil war and even genocide.

Responsibility for the state of affairs rests principally with South Sudan's leaders, who have prioritized power and self-enrichment over the needs of their peoples. However, some responsibility also lies with those who have offered sanctuary to such people and their assets, with those who have supplied arms to fuel such a crippling war in the world's poorest country and, indeed, with those who have constrained the Council from taking effective action in response to a situation that has been brewing for many years. We are now being warned that a very real and serious disaster is looming at a time when UNMISS is ill-equipped to deal with it. As we know, UNMISS is operating in a non-permissive environment, beset by deep systemic and political problems and in a state of flux, facing

changes in leadership in the field and indeed in New York next year.

UNMISS, as is sometimes forgotten, has four key tasks: protecting civilians, monitoring and investigating human rights abuses, creating the conditions for delivering humanitarian assistance, and supporting the implementation of the peace agreement. However, the only task that UNMISS has really been able to undertake in the past six months and longer is the first of those tasks and, as has been cruelly demonstrated, even that has not been done very well when the pressure has been on.

Responsibility for the situation lies primarily with the South Sudanese parties, especially the Government, which has used its position as host Government and its military strength to prevent UNMISS from carrying out its mandate. What do we do? We cannot abandon South Sudan, but neither can we magically conjure up an instant change in the behaviour of South Sudanese leaders or indeed in the way that UNMISS is constituted and operates. Despite the scale of the problem, we need to be focussed and realistic in our immediate objectives, until longer-term arrangements can be developed and put into place.

Right now, we first have to heed the warnings of Mr. Adama Dieng about the dangers of genocide and make it clear to South Sudan's leaders that they will be held to account if events deteriorate further. Secondly, we need to implement without delay the recommendations in the Independent Special Investigation report that are capable of immediate implementation.

The Council should be kept updated regularly on progress in implementation, and the Secretary-General and his team need to ensure that such updates are provided. We also need to set clear guidance and expectations for the new Special Representative of the Secretary-General and the Force Commander, and require them to ensure that the civilian and military components of UNMISS work in support of each other's operations, particularly with respect to the implementation of the mandate, the rules of engagement and the use of force.

The Security Council and the troop-contributing countries (TCCs) also have a shared responsibility to address the systemic issues in UNMISS. We need to be having more frank conversations with each other so as to clarify expectations and to highlight the decisions by the TCCs not to follow orders. We should also be

working with Council members and the TCCs to document benchmarks and violations of the status of forces agreement and to build a shared understanding of the picture of non-compliance.

At the level of the Council, we and the international community have to take steps to change the calculus of the Government of South Sudan, and the SPLA-IO in particular, so as to give UNMISS the room it needs to conduct its basic mandate. As a Council, we need to send a clear signal, including through targeted sanctions and an arms embargo, that the status quo will no longer be tolerated.

The argument that sanctions must be linked to a political process in order to be effective, or that they might complicate the political process, only holds, in our view, when there is a realistic prospect for a political process. At the moment, there is none. In that case, aside from at least reducing the importation of weapons, especially heavy weaponry, the purpose of the embargo would be to signal that international tolerance of what has been going on in South Sudan has reached an end.

New Zealand therefore looks forward to working with the United States and other Council members on the draft resolution that is anticipated.

Mr. Gasso Matoses (Spain) (*spoke in Spanish*). I thank you, Sir, for your work at the helm of the Committee established pursuant to resolution 2206 (2015) on South Sudan at a particularly difficult time. We wish to thank Ms. Løj for her efforts; she has Spain's full appreciation, gratitude and recognition for her commitment to her work as Head of the United Nations Mission in South Sudan (UNMISS) in seeking to promote peace in South Sudan.

We also thank Mr. Dieng for his timely visit to South Sudan and for coming to the Council to present us with his view of the events taking place in the country. His participation in the Chamber today was particularly relevant and necessary, given the real danger, as he has reported, of mass atrocities occurring in the country. What we have just heard from Mr. Dieng only reaffirms the urgency of the need to act immediately and to prepare ourselves for any possible occurrence.

As we are well aware, in 2005 world leaders endorsed the principle and doctrine of the responsibility to protect, which is designed to enable the United Nations to act and assist in situations such as the one Mr. Dieng

has just described. I would like to pick up on one of his sentences that genocide is not an event, it is a process. The main responsibility for stopping that process is clearly one that rests with the authorities of South Sudan and all of the political and military actors in the country. However, when those actors are not capable of assuming nor desire to assume their responsibility, it is then up to the rest of the international community to meet the needs of the people who find themselves threatened. It is therefore up to the United Nations system and more specifically the Council.

In that regard I would like to highlight two points. First, there is a clear responsibility that must be assumed by the United Nations system and the Mission directed by Ms. Løj — we are highly aware of the limits that the Mission faces in its ability to meet that responsibility. This is why we are particularly satisfied to see the efforts undertaken by the United Nations to explore, together with the African Union, possible options aimed at finding a solution. Those options certainly include mechanisms to ensure the deployment of a regional protection force, or other options beyond the so-called over-the-horizon force referenced in the report (S/2016/951), which we consider to be an interesting initiative. Nevertheless, taking into account the fact that the protection of civilians should be our absolute priority, we hope that the interactions with the African Union will lead to clear, specific plans and proposals containing viable, realistic options.

One of the key elements in ensuring that Ms. Løj can fulfil her functions is the need to ensure the freedom of movement of UNMISS, as mentioned on many occasions in the Chamber. Without freedom of movement, it is impossible for her to provide follow-up or fulfil her mandate. The restrictions imposed on the Mission by the South Sudanese authorities are completely unacceptable. The security guarantees offered by the South Sudanese authorities should, as Ms. Løj has indicated, lead to genuine action in practice. Restoring confidence between the Mission and the South Sudanese authorities is essential. To that end, it is critical that the South Sudanese authorities act in good faith in their relationship with the United Nations and the Security Council, as we hope they will.

Moreover, it is true that the Mission's efforts do not depend only on third parties. Part of the issue is the responsibility that the Mission must shoulder on its own. That is why it is important to implement the lessons learned from the incidents in Malakal and the

violent incidents in July and to ensure that they do not recur. We therefore reiterate our support for any measure geared towards preventing any repetition of those errors and towards ensuring the necessary accountability, when appropriate.

Additionally, a part of the responsibility to protect the people of South Sudan falls on the Council. We must make that commitment as of now. In December we must review the UNMISS mandate. We welcome the proposals put forth in the report and the ambitious goals set forth for the Mission, including bolstering the protection of civilians, ensuring humanitarian access, enhancing child protection, and fighting sexual abuse and violence. We are fully aware, as we have stated before, of the difficulties facing the Mission in guaranteeing the protection of civilians located outside of the camps. Nevertheless, we would be very interested in some of the elements put forth in the report, some of the innovative ideas on guaranteeing and improving that protection, for example, foot patrols to prevent sexual violence in areas surrounding the UNMISS camps, as well as the idea of exploring highly innovative measures, such as the protection of unarmed civilians on the part of civil society, which is already taking place somewhat successfully in some parts of the country.

Secondly, I wish to refer to another responsibility of the Council, namely, the need for capacity-building by the Mission and the Special Representative in order to better support the political process. As we have reiterated, it is certain that we require a collective effort to restart the dialogue and promote inclusivity in the political process. In that regard, the Council could consider other kinds of tools that might be available, for example, individual sanctions like those that it has available. People who are threatened with sanctions might think twice before choosing hatred or division.

Other instruments available to the Council include the possibility of finally imposing an arms embargo on South Sudan. We find it interesting that the United States delegation has announced its intention to propose that the Council establish an arms embargo. Spain has been saying for more than a year — nearly two years — that there is a need to adopt such a measure.

We believe, as the representative of the United Kingdom has just mentioned, that imposing an arms embargo is not, nor has it ever been, a political burden. Rather, it is a genuine instrument aimed at reducing

violence on the ground. It would limit the deployment of heavy weaponry and reduce the possibility of escalating bellicose actions. Above all, we are convinced that having fewer weapons in the country would facilitate an environment more conducive to promoting inclusive political dialogue, which is the only way for the country to find its way out of the current situation.

Mr. Wu Haitao (China) (*spoke in Chinese*): At the outset I wish to thank the briefers for their presentations.

The recent situation in South Sudan remains complex. On the one hand, the security situation in Juba is easing. President Kiir is continuing to implement the joint communiqué (S/2016/776, annex) issued by the Transitional Government of National Unity of South Sudan and the Security Council. He has agreed to the participation of troops from relevant neighbouring countries in the Regional Protection Force. Furthermore, the Transitional National Legislative Assembly has started its work, and the Joint Monitoring and Evaluation Commission (JMEC) has organized a workshop on setting up their own permanent ceasefire and transitional security arrangements. On the other hand, the overall situation in South Sudan remains grim, with numerous difficulties involving humanitarian assistance. The international community should continue to provide assistance in the following areas.

First, it is necessary to continue pushing for a political process aimed at resolving the issue of South Sudan. The international community should accelerate efforts to ensure that all of the parties in South Sudan return to the track of implementing the political settlement and peace agreement in the interest of resolving differences through dialogue and negotiation, in a joint effort to achieve the peace, stability and development of South Sudan.

China supports all means aimed at strengthening further implementation of the mandate of the United Nations Mission in South Sudan (UNMISS) in the areas of good offices, the protection of civilians and assisting humanitarian access, with a view to resolving the problems encountered in the process of cooperation with the Transitional Government of National Unity of South Sudan through patient dialogue and consultation.

Secondly, it is necessary to ensure the full participation of regional and subregional organizations. China has consistently backed the settlement of African issues by Africans using their own methodologies. It

has supported the Intergovernmental Authority on Development in its leading role in the settlement of the South Sudan issue. The United Nations must increase its support to the JMEC Chairperson, Mr. Festus Mogae, and the African Union High Representative for South Sudan, Mr. Alpha Oumar Konaré, so as to enhance mutual cooperation and coordination in the interest of enhancing synergy in the political settlement of the South Sudan issue.

Thirdly, the implementation of the relevant Council resolutions must enjoy the support and cooperation of the Transitional Government of National Unity of South Sudan. The Transitional Government is committed to the implementation of the joint communiqué issued with the Security Council and the implementation of resolution 2304 (2016). It is also committed to supporting the full implementation of the UNMISS mandate and the work of the humanitarian actors.

The Transitional Government of National Unity of South Sudan agreed to allow the relevant neighbouring countries to send their troops to participate in the regional protection force and agreed to discuss with UNMISS lands for the regional protection force. The Security Council and the relevant parties should seize this opportunity to encourage the Transitional Government to promote consultations with all parties involved and implement the joint communiqué and relevant Council resolutions in a joint effort to promote peace and stability in South Sudan.

Fourthly, China commends Ambassador Seck for his leadership in the active work of the Security Council Committee established pursuant to resolution 2206 (2015) concerning South Sudan and has taken note of the interim report submitted by the Panel of Experts to the Sanctions Committee (S/2016/963). China urges the Panel to strictly abide by the Council's mandate and conduct its work objectively and fairly in putting forward its practical recommendations to the Sanctions Committee concerning South Sudan.

In today's complex situation, the Security Council should send further positive signals to all sides and encourage all parties in South Sudan to continue their efforts to implement the peace agreement. The Council should be prudent in taking action on the sanctions, with a view to avoiding complicating the situation.

Mr. Iliichev (Russian Federation) (*spoke in Russian*): We thank the Special Representative of the Secretary-General and Head of the United Nations

Mission in South Sudan (UNMISS), Ms. Ellen Løj, for her briefing and her active work in her post. We wish her all the very best.

We also take note of the letter dated 9 November, the recent report of the Secretary-General on the situation in South Sudan (S/2016/950), the special report of the Secretary-General on the review of the mandate of the United Nations Mission in South Sudan (S/2016/951), the interim report of the Panel of Experts on South Sudan (S/2016/963), and your statement, Mr. President, in your capacity as Chair of the Committee established pursuant to resolution 2206 (2015) concerning South Sudan.

We note the recommendations issued by the Secretary-General on the Mission's mandate, wherein he speaks of the priority given to promoting a peaceful process and normalizing the situation in the security area. That implies that peacekeepers should provide capacity-building support to South Sudanese power structures. Those proposals are in line with our own approach. We think that the way to improve the humanitarian situation and the human rights situation in South Sudan lies through a lasting settlement on the basis of inclusiveness.

As a step towards an inclusive political process and national reconciliation, we welcome the amnesty announced by President Salva Kiir for the supporters of Riek Machar who participated in the armed clashes in Juba in July and who are currently in the Democratic Republic of the Congo. We share the opinion of the Secretary-General that strengthening the peacekeeping capacity of the Mission, including the deployment of the Regional Protection Force, is not a panacea against all of the country's ills.

With regard to the implementation of resolution 2304 (2016) and the joint communiqué between the Transitional Government of National Unity and the Security Council of 4 September (S/2016/776, annex), we see a certain amount of progress there, which shows that there is a constructive nature to the currently ongoing negotiations with Juba. In particular, the South Sudanese agreed to host contingents from Kenya, Ethiopia and Rwanda. It is not their fault that, because of the well-known hasty and ill-advised actions of the Secretariat, Nairobi refused to send a new contingent to South Sudan and is withdrawing the contingent that was already deployed. One more positive element here is the letter of 15 November containing the draft

agreement between Juba and the Mission, addressing the implementation of the communiqué of 4 September.

We thank Mr. Dieng for his briefing. We share his concerns with regard to the spread in South Sudan of rhetoric and actions targeting individual ethnic groups. What draws our attention is the fact that such rhetoric frequently comes from various kinds of armed and criminal groups and undisciplined elements of various power structures. We would therefore refrain from drawing the conclusion that they represent an intentional policy, all the more so since some parties have a tendency to exploit the emotional reaction of the international community to the really difficult and dramatic situation in South Sudan. In particular, some colleagues refer to that situation in order to justify their appeals to expand the sanctions regime against that country, including an arms embargo by the Security Council.

Our position on that has not changed. We think that implementing such a recommendation would hardly be helpful in settling the conflict. Furthermore, newer sanctions could further complicate the relationship among the host country, the peacekeepers and the international community. Generally speaking, introducing targeted sanctions now against South Sudanese leaders would be the height of irresponsibility. Someone probably wants very much to see President Kiir share the fate of Al-Qadhafi, against whom targeted sanctions were also introduced.

In the Secretary-General's letter of 9 November, we did not note any conclusion that the Government is impeding the deployment of the Regional Protection Force in South Sudan. Quite the contrary, there is positive movement in that area. Therefore, even if we were to follow the formal logic of resolution 2304 (2016), which was, by the way, supported by our Western colleagues, the reintroduction of an arms embargo by the Security Council against South Sudan would be premature.

With regard to the sanctions against South Sudan, there is again no unity among African countries, including the neighbouring countries. That lack of unity could undermine the effectiveness of potential restrictions. We can see that in the example of a number of African countries, including the Central African Republic, where sanctions, including the arms embargo, are not working. By the way, with regard to the communiqué of the African Union Peace and

Security Council of 19 September and their statement after their visit to Juba at the end of October, we saw no call for new sanctions either. We draw that to the attention of those colleagues who are selective in referring only to those decisions of the African Union that they find useful.

Another point needs to be made. There is an official arms embargo against South Sudan imposed by the European Union (EU), but the United Nations experts confirm that a functioning network supplying weapons to South Sudan is operating in European countries, so the EU embargo is not working. Where is the guarantee that a United Nations embargo would function? By the way, we are surprised by the double standards of some colleagues who actively call for an arms embargo against South Sudan while their own nationals and companies are involved in supplying weapons to that country.

Mr. Ibrahim (Malaysia): My delegation appreciates the briefings by Ms. Ellen Løj and Mr. Adama Dieng and by Ambassador Fodé Seck as Chair of the Committee established pursuant to resolution 2206 (2015) concerning South Sudan. Based on those briefings, Malaysia is deeply concerned about the protracted conflict and the deteriorating political, security and humanitarian situations in South Sudan. The briefers described in detail the exacerbations of the crisis, the renewed violence and the heightening of tensions along ethnic lines, the potential risk for genocide and the dire humanitarian situations.

Despite the Council's numerous efforts to urge the parties to the conflict to find a political solution, South Sudan continues, unfortunately, to slide into chaos. As States bear the primary responsibility to protect their populations, we urge the Transitional Government of South Sudan to do its utmost to protect its people and to urgently prioritize the welfare, safety and security of all of the people of South Sudan, regardless of ethnicity and political affiliations. National leaders must rise above the parochial politics of divisions and ethnicity and promote unity for all South Sudanese.

As previous speakers have rightly advocated, an inclusive political process and national reconciliation provide the only legitimate path towards restoring peace and stability in South Sudan. Any call to arms would only lead to further protracted conflict at the price of more deaths and destruction. Despite the political impasse and the stalled implementation of the peace

agreement, the leadership and solidarity shown by regional partners, particularly the Joint Monitoring and Evaluation Commission, led former President Mogae of Botswana, to mediate a dialogue and reinvigorate the peace process, continue to provide some glimmers of hope. It is imperative that the Security Council continue to support those mediation efforts and sustain engagement with regional partners, including the Intergovernmental Authority on Development, as well as the European Union, for a comprehensive approach to addressing the current situations in South Sudan.

Malaysia has always maintained its firm commitment and support for United Nations peacekeeping operations as a tool for the maintenance of international peace and security. In that context, we reiterate our full support for the United Nations Mission in South Sudan (UNMISS) and commend the men and women of the Mission, who have continued to operate under enormous pressure in challenging circumstances. UNMISS must implement its mandate effectively. That is extremely crucial, particularly in the current situation in South Sudan. It is also imperative that both the South Sudanese authorities and the armed forces step up their efforts to enhance cooperation in order to ensure the swift implementation of resolution 2304 (2016), including finalizing the outstanding matters on the establishment and deployment of the original protection force.

At the same time, it is also crucial for the parties to engage in further discussions aimed at resolving any misunderstandings, and address their differences. For example, UNMISS views the request for the participation of Joint Verification and Monitoring Mechanism liaison personnel in UNMISS convoys as obstructions to UNMISS operations, whereas the South Sudanese authorities view the proposal as a positive mechanism aimed at facilitating the movement and access of UNMISS into difficult areas.

Clearly more should and could be done to enhance the trust and confidence levels between UNMISS and the South Sudanese authorities. Within UNMISS, we hope that the task force established by the Secretariat will be able to swiftly implement the recommendations of the Independent Special Investigation with a view to restoring the credibility of the Mission.

We thank Ambassador Fodé Seck for his excellent stewardship of the Committee established pursuant to resolution 2206 (2015) on South Sudan. Malaysia

will continue to work closely with and support the Committee, as we view its work as an integral aspect in supporting the peace process and our collective objective of restoring lasting peace and stability in South Sudan.

To conclude, as Ms. Løj approaches the end of her tenure as Special Representative of the Secretary-General and Head of UNMISS at the end of this month, allow me to take this opportunity to express our heartfelt appreciation for her relentless efforts and dedication in carrying out her duties over the past two years. We wish her all the best in her future endeavours.

Mrs. Gueguen-Mohsen (France) (*spoke in French*): I thank Special Representative of the Secretary-General to South Sudan, Ms. Ellen Løj; Special Adviser to the Secretary-General on the Prevention of Genocide, Mr. Adama Dieng; and you, Sir, in your capacity as Chair of the Committee established pursuant to resolution 2206 (2015) on South Sudan, for your briefings. I would also like to particularly welcome the activities of Ms. Løj in heading the United Nations Mission in South Sudan (UNMISS) over the past few years in very different circumstances.

The seriousness of the situation that has just been described fully justifies today's open meeting to speak about the matter. France is deeply concerned by the threat of a new escalation of violence in South Sudan. Since the conflict began almost three years ago, civilians have been the victims of unspeakable violence and abuse. Men, women and children have been executed, murdered, raped, mutilated and abducted. Violence has spread to many regions of the country. In addition to the fighting between the two parties to the conflict, there are now cross-community conflicts, ethnic violence and armed group attacks.

While that is already a bleak picture, today South Sudan is in danger of plunging further into a new spiral of violence. The Secretary-General, the Panel of Experts of the Sanctions Committee and Mr. Dieng himself have sounded the alarm. They have alerted us to hate speech and incitement to murder, which makes us fear the worst. They have drawn our attention to the risk of an escalation of violence, particularly along ethnic lines, which could result in mass violence.

The Security Council cannot turn a deaf ear to such dangers. As was underscored by Mr. Dieng, such a spiral of violence is not inevitable and therefore can be prevented. The people of South Sudan cannot be

abandoned to such a fate. They are in danger and we have to provide them with the necessary support. The Security Council must therefore mobilize to prevent South Sudan from descending into chaos. It cannot and must not stand idly by. It has to act in accordance with its responsibility under the Charter of the United Nations and take the necessary measures.

First of all, establishing an arms embargo is now urgent. The ongoing influx into South Sudan of light and heavy weapons feeds the conflict and makes it easier to commit acts of violence against civilians. We need to do our utmost to slow this flow of weapons. France has long called for such an embargo and regrets that the Security Council could not decide on it earlier. However, there is still time. We support the United States proposal and call on members of the Council to stop prevaricating.

Next, the resumption of the political process is critical to restoring hope to South Sudan. The conflict cannot be resolved militarily; any settlement must be political. The parties must therefore urgently commit to ceasing hostilities and participate in inclusive dialogue that can stabilize the governance of the country and move towards an exit to the crisis. For that reason, we welcome the active roles that the Intergovernmental Authority on Development and the African Union have played since the beginning of the crisis in trying to promote a political solution. Today more than ever it is necessary to redouble the efforts in that regard, and the United Nations can help, in particular through the Special Representative of the Secretary-General. The Security Council must also play its role by supporting those efforts. We must stand ready to remind those who seeking to impede peace initiatives that the Council is ready to take necessary measures against them.

Lastly, UNMISS must be in a position to carry out its mandate. We strongly condemn the attacks perpetrated against the Mission and humanitarian workers. The obstacles that have been set up to prevent UNMISS access to vulnerable populations are unacceptable. We call on the Government of South Sudan and all the parties to the conflict to guarantee full freedom of movement to UNMISS. The Government of South Sudan must also honour its commitments and ensure the proper deployment of all Mission contingents, including the Regional Protection Force, and their equipment.

I also want to reiterate the full support of France to UNMISS, which is implementing its protection of

civilians mandate in very difficult circumstances. In that regard, we welcome the efforts deployed by the Secretariat to draw lessons from the shortcomings noted during the outbreak of violence in Juba in July. We welcome and support the commitment of the Secretariat to implementing the recommendations as quickly as possible. The Council must support those efforts.

The civilian populations of South Sudan have suffered for far too long from the war, which to them seems endless. That situation could deteriorate further. It is the Council's responsibility to mobilize in order to prevent South Sudan from plunging further into the spiral of violence. It is time for us to act.

Mr. Vitrenko (Ukraine): I join other delegations in thanking today's briefers for their useful updates. I would also like in particular to pay sincere tribute to Special Representative of the Secretary-General Løj for her dedicated service at the helm of the United Nations Mission in South Sudan (UNMISS), which I was privileged to witness while in South Sudan on the Council's most recent mission. In the light of the information that we just heard, I would like to highlight three main points.

First, we are extremely concerned by the rapidly deteriorating security situation in South Sudan. As we just heard, violence is surging in Equatoria, Western Bahr el-Ghazal, Upper Nile and Unity states, where armed actors on all sides systematically target civilians and commit sexual violence and abuses and other gross violations of human rights and international humanitarian law. As we have just learned, while we have been speaking here fighting has reportedly erupted in Unity state between military forces and fighters loyal to Riek Machar, killing at least 15 people. I am still worried that we cannot rule out a further escalation of violence once the rainy season ends this month.

Ukraine also takes reports of growing ethnic tensions and the spread of hate speech, hostility and incitement to violence very seriously. In that regard, we believe that the visit to South Sudan by Special Adviser Adama Dieng was an extremely timely move. We support his proposals and ask him to continue monitoring the situation on the ground and keep the Security Council fully updated. The worsening security climate has resulted in mass displacements, with over 1 million South Sudanese having sought refuge in more safe regions of the country or in neighbouring countries. Nearly half of the population requires

constant humanitarian assistance. All of that underlines the urgent need for an immediate cessation of hostilities and the full implementation of the ceasefire. We could not agree more with Ms. Ellen Løj that the guns have to be silenced. I would only add that the guns have also to be prevented from flowing into South Sudan. In that light, we are ready to work on the relevant proposal of the United States delegation.

The continuous fighting suggests that the parties still hope to achieve their goals by military means, while it is clear that the political process is the only realistic way towards peace and stability in South Sudan. That is why we urge the parties to immediately resume the implementation of the peace agreement in good faith and without preconditions. That includes the resumption of participation of all parties in the work of the Transitional Government and the promotion of confidence-building and reconciliation measures.

At such a critical time, it is very important that the United Nations, and in particular UNMISS, continue assisting the South Sudanese people. Over the past month, there has been some improvement in removing obstructions to the Mission's ability to implement its mandate, yet many restrictions, in particular those of freedom of movement and humanitarian access, still remain. In that regard, we urge the Transitional Government to respect its commitments under the status of forces agreement and fully implement relevant provisions of the joint communiqué of 4 September, agreed to by the Council in Juba. Ukraine believes that the deployment and operationalization of the Regional Protection Force, as envisaged in resolution 2304 (2016), would help to stabilize South Sudan.

We welcome the fact that the Transitional Government and the Secretariat have come to an agreement on the composition of the troop-contributing countries. In that respect, my delegation looks forward to the rapid conclusion of deployment preparations and the arrival of troops. It is also critical that the Transitional Government fully cooperate with UNMISS in the operationalization of the Regional Protection Force. To sum up, in our view there are the following prerequisites for the stabilization of the situation in South Sudan: the cessation of hostilities, resumption of the implementation of the peace agreement, the removal of obstructions to UNMISS work and the deployment of the Regional Protection Force.

Mr. Gimolicea (Angola): I thank all briefers for their briefings, and in particular I commend Ms. Ellen Løj for her service and efforts in the very difficult and challenging conditions to support the people of South Sudan in reaching sustainable peace after years of conflict. We wish her the best in her future endeavours.

Five years after the proclamation of South Sudan's independence and 20 months of conflict, the South Sudanese parties signed a peace agreement brokered by the Intergovernmental Authority on Development, which was endorsed by the African Union and the international community. Today, following the incidents that took place in Juba between 8 to 11 July, the situation has worsened. Progress on the implementation of the provisions of the peace agreement has been halted, and instead of increased dialogue we have borne witness over the past month to the resurgence of hate speech and incitements to violence.

The international community must send a clear message to the leadership of South Sudan. First, the leadership must recall its responsibility to protect the civilian population. Secondly, it must be informed that the international community will not tolerate a genocide or war crimes and crimes against humanity in South Sudan. Thirdly, perpetrators of all acts of violence, in particular ethnic and/or sexual violence, will be held accountable.

We as the international community also have a responsibility to revive the peace agreement in South Sudan, which is the legal instrument signed by the parties and international partners. In that regard, we think that an arms embargo is not a solution to the conflict. The efforts of the international community must encourage the parties towards more dialogue and inclusivity. However, we recognize that some important steps that have been taken by the Transitional Government of National Unity of South Sudan regarding the operationalization of the Regional Protection Force authorized by the Security Council, but we also regret all violations of the status of forces agreement and the blockade that has created additional challenges for the performance of the Mission.

I would like to ask Mr. Dieng a question. In light of the difficulty in deploying the 4,000 personnel of the Regional Protection Force, what does he think of increasing the number of unarmed civilian protectors who are currently protecting civilians in 10 locations

around the country, including the protection of civilian areas in Bentiu, Malakal and Juba?

We commend you for your hard work, Sir, in your capacity as Chair of the Committee established pursuant to resolution 2206 (2015) on South Sudan, and we welcome your initiative to visit South Sudan and other countries of the region. It is important to establish contact with the reality of South Sudan and the various stakeholders in order to address misunderstandings regarding the role of the Committee. On the other hand, we regret the fact that the Panel of Experts that supports the Committee produces biased, unbalanced and controversial reports that are contradicted by other issues reported by other United Nations organs. It should be noted with regret by the Panel that the peace agreement has already collapsed and that the Transitional Government of National Unity has become a regime, with all its negative and biased perceptions.

We believe that it is our responsibility, as members of this organ, which is responsible for maintaining peace and security, to support the people of South Sudan in addressing their current challenges and help them on the path towards sustainable peace. Angola is fully committed to those objectives.

The President (*spoke in French*): I now give the floor to Mr. Dieng to respond to questions and comments raised.

Mr. Dieng (*spoke in French*): I wish first to address the question raised by the representative of Venezuela concerning the measures that might be taken with a view to reducing prevailing tensions.

(*spoke in English*)

I should, first of all, indicate that, in close cooperation with my colleague Herve Ladsous, even prior to my trip to South Sudan we had put in place a working group to look into the measures that need to be taken to prevent a further escalation of the current violence. While I was in South Sudan, what I offered as a way to help, beginning at the local level in Yei River state — where, as I indicated and was confirmed by almost everybody, the situation had been deteriorating — was to facilitate a dialogue with the community and religious leaders. We felt that such dialogue was extremely important.

We also felt that it was important to develop a communication plan at Headquarters in order to increase global and regional awareness of the risk of

mass atrocities in South Sudan. As a matter of fact, as I indicated in my presentation, I hope — and I mentioned this to our colleagues in the United Nations country team while I was there — that they will also help to monitor, on a daily basis, all the incitements and examples of hate speech, with the help of the staff on the ground, including in the local languages, so that they have the most accurate record of such messages.

We also felt that it will be very important to engage further with the African Union and the countries of the region, and I am very pleased, Mr. President, that you will be visiting the region in December. As a matter of fact, the African Union High Representative for South Sudan and former President of Mali, Mr. Alpha Oumar Konaré, is very concerned about this and will be in Juba himself in the coming days to follow up on the issue. I think we should provide him with as much support as we can, so I have already alerted him and have been in contact with the office of Mr. Mogae, the Chair of the Joint Monitoring and Evaluation Commission, encouraging them to make that trip to Juba. If necessary, we are considering activating the mechanism of the African Union's Panel of the Wise to discuss additional initiatives. In the light of the seriousness of the situation, we are also considering asking the Secretary-General — with your support, Mr. President, and that of all the members of the Security Council — to convene a high-level meeting to address the situation.

I have also been urging Riek Machar himself to make clear to him his responsibilities from his side. At the end of the day, of course, this is in the hands primarily of the South Sudanese themselves, and primary responsibility lies with South Sudan. As I reminded the authorities while I was there, President Salva Kiir is in charge of law and order. He is not the President of the Dinka or of the Nuer, he is the President of all South Sudanese and the father of the nation. I have even asked him to clarify the speech he delivered on 19 October, to reassure the people that he did not mean that he would be going to Equatoria to fight them. I have also offered to provide two investigators to help the South Sudanese judiciary start investigating the allegations of crimes committed in Yei River state. At the end of the day, the people must be reassured, or they will continue to flee the country, and we must put an end to this situation.

Concerning the question raised by the Ambassador of Angola, it is clear that the deployment of the 4,000

people in the Regional Protection Force is one thing, but ultimately, after recruiting and placing 4,000 troops or even more, that will not solve the problem on the ground. What we desperately need, and I insisted on this while I was in Juba, is to have a truly inclusive process. In the end, with the entire debate that has taken place regarding Riek Machar's replacement by Taban Deng Gai, and whatever interpretation can be put on that — and the man must be included — what is most important is not about personalities but about getting civil society and everybody else on board. I was with the elders of the Equatorias, and that is one of the reasons that I said at some point while I was there that there is still hope for ensuring that. But I can say that in the discussions with some of those actors, one can feel the hatred, and that situation must be calmed down.

But, unfortunately, what is most worrying is the amount of arms that are circulating. Many young people have those weapons and are doing whatever they can to try to survive. Because the country is split everywhere, not just in Yei. That is why I have to say that

(spoke in French)

this is a very serious moment in South Sudan, and it is time to act and to act urgently.

The President *(spoke in French)*: I now give the floor to the representative of South Sudan.

Mr. Malok (South Sudan): I would like to congratulate you, Sir, on your leadership of the Council for this month, and to pledge our full cooperation during the remainder of your presidency. I would also like to thank Ms. Ellen Margrethe Løj, Special Representative of the Secretary-General for South Sudan and Head of the United Nations Mission in South Sudan (UNMISS); Mr. Adama Dieng, Special Adviser to the Secretary-General on the Prevention of Genocide; and Ambassador Fodé Seck of Senegal, Chair of the Committee established pursuant to resolution 2206 (2015), for their briefings.

I would like to begin by expressing our appreciation to you and the members of the Council for giving us the opportunity to share our views on the Secretary-General's letter of 9 November to the Security Council and his reports on the security and humanitarian situation in South Sudan (S/2016/950) and the role of the United Nations Mission in South Sudan (S/2016/951). There are allegations in the reports whose accuracy is debatable; our intention is not to contest them but

simply to help the Council and all the parties concerned to get a better understanding of the root causes of the problems so that we can develop appropriate remedies.

South Sudan fully understands that the motive behind the work of the United Nations, the African Union, the Intergovernmental Authority on Development and other international partners is their growing concern for the security, safety and general welfare of our people. We share that concern not only because we are the country affected, but also because we are part and parcel of the United Nations and the international community, and we share the same moral values and normative principles. We also remember, with deep gratitude, the support we received from the international community in the struggle for liberation that led to our independence. The support of the United Nations and the international donor community for our newly independent country that led to the establishment of UNMISS is also something for which our Government and people remain deeply grateful.

Our people's long struggle, which went on intermittently for half a century before we achieved independence, was basically a quest for the ideals that the United Nations stands for — peace, security and the enjoyment of all human rights. In other words, it represented the pursuit of universal human dignity. That being the case, we must ask why South Sudan has suddenly descended into its current crisis.

To answer this question, the starting point must be that the objective of restoring peace and security and addressing the humanitarian needs of our people is first and foremost the major concern of the people and the Government of South Sudan. If we fail, it should be recognized that the explanation lies not in a lack of will but in the limits of our national capacity to respond. The conflict has intensified divisions among our leaders and their people. We should, however, be all aware that the crisis in South Sudan — indeed, as in many other countries experiencing conflict — is a result of internal and external factors alike. Rather than pointing fingers, we should all cooperate and understand that we are in it together and, in one way or another, all affected and share the responsibility for the crisis.

In the hierarchy of shared responsibility, we fully recognize what the Secretary-General has highlighted in his observations on the situation and that the primary responsibility to protect all citizens, without discrimination on the basis of their ethnicity

or political affiliation, rests with the Government. We also acknowledge that it is the responsibility of the Government to meet the humanitarian needs of its people. That is the core of responsible sovereignty.

In the case of South Sudan, the critical question then becomes one of strengthening the capacity of the State to discharge these national obligations effectively, bearing in mind the principle that the international community has the complementary responsibility to provide a State in need with supplementary assistance to meet its national responsibility. It should be recalled that South Sudan was grossly neglected by the colonial administration and has been devastated by the long war that erupted in 1955, a few months before independence on 1 January 1956. It should therefore be recognized that the country continues to lack the capacity necessary to deal with its grave challenges in a robust manner. These challenges emanate from internal and external factors alike, particularly the continuing legacy of the long war between the north and South Sudan. Both sets of causes require the diligent efforts of the two countries and the international community to be effectively addressed in a constructively dialogue.

The necessary support of the world bodies to address these interconnected crises must strengthen the institutions whose primary responsibility is to protect the people. This support should be based on a genuine, mutual and respectful cooperation that does not infringe on the sovereignty of the Republic of South Sudan. It should also be premised on the fact that there is an elected and legitimate Government in South Sudan that fully represents the will of the people. It is, of course, undeniable that the country is now divided and that it is also the responsibility of the Government, supported by the international community, to restore the unity of the leaders and their people. However, nowhere in the world can a sovereign Government accept an armed rebellion. As we have seen in comparable situations, it is the responsibility of the international community to assist Member States in stopping and eliminating armed rebellion against an elected Government.

South Sudan also agrees with the Secretary-General that the inclusion of all ethnic groups and political factions should be the desired objective so long as these groups adhere to the democratic principles and the rule of law. The international response to our situation has, however, been characterized by a persistent tendency to strike a moral equivalency that does not apportion accountability for the crises or recognize

the difference between the elected Government and an armed rebellion. It is important for the international community to identify those who are genuinely striving to find workable solutions through legal institutions and those undermining efforts to restore peace, unity and stability, particularly by resorting to violence.

An example of this misleading tendency towards moral equivalency is the statement in the report that categorically asserts the lack of inclusivity in the political process and the increasing feelings of political marginalization among other ethnic groups, many of which believe that the Government is pursuing a policy of Dinka domination across the country. Rather than make an assertion based on presumed feelings, a responsible observation must look into the composition of the Government at all levels. It is a glaring fact that members of the Nuer group and other smaller ethnic groups have always been well represented at the senior levels of the Government and the army, and indeed throughout the bureaucracy.

It should be remembered that the Dinka are the overwhelming majority across the country, and their numbers cannot be minimized by any notion of proportional representation. But although the Dinka are the largest group in the country, South Sudan has over 60 ethnic groups and there is no way for one group, out of self-interest, to dominate all the other groups. If anything at all, the Dinka national leadership has tended to bend over backward not only to ensure the representation of all groups, but also to counter any fears of Dinka domination. To assert the opposite is to be blind to the facts, stress the tendency to stigmatise one group and promote a self-fulfilling dangerous propaganda.

As the popular saying goes, actions speak louder than words. President Salva Kiir, in his commitment to peace, security, stability and the general welfare of all his people, has repeatedly demonstrated his determination to end the crisis in the country. Far from promoting Dinka domination, he has promoted the unity of South Sudan by incorporating Nuer militias into the Sudan People's Liberation Army, to the point at which over 70 per cent of the army is Nuer. It is however, those former militias who became Riek Machar's rebel army. And yet, Nuer representation in the Government and the army remains significant, and the President has maintained his commitment to the policy of inclusiveness.

We want to draw the attention of the Council to the appointment of General Taban Deng Gai as First Vice-President so that the peace process is not held hostage by the absence of Riek Machar from the country. First Vice-President Gai is already demonstrating his commitment to move the peace process forward. It should be remembered that he was a signatory to the initial security arrangement of the Machakos Protocol in 2004 and his contribution to the liberation struggle is well known to the people of South Sudan. He was also the leader of the Sudan People's Liberation Movement/Army in Opposition (SPLM-IO) negotiating team. Since his appointment as First Vice-President, Gai has been given full support by the President to implement the agreement and through its established modalities, address the grievances of our people.

While there is no intention to exclude any citizen from the political process, there is no justification, locally or internationally, to support Riek Machar's continued armed rebellion against an elected Government. It is a misleading assumption to assert, as the report does, that Riek Machar retains significant political and military support. The implication is that such support is from the Nuer community. But in addition to Taban Deng Gai's role as First Vice-President, and a number of other Nuers in important positions in Government, significant numbers of the Nuer ethnic group fled into Dinka areas and are living peacefully with their host Dinka communities. There are, of course, genuine grievances among members of various groups, including sections of the Dinka that need to be addressed. The Government is however committed to correcting the differences among groups, some of which go deep into the history of inequitable development in the Sudan and now South Sudan, but this should not be confused with the tendency of political entrepreneurs to exploit ethnic politics.

We must acknowledge that recognizing the efforts of the Government is a source of encouragement to continue positive reforms, while disregarding such efforts can be a disincentive. In addition to Gai's appointment, the President recently made several decisions by republican order — one instructing the Ministerial Committee of the Transitional Government of National Unity, charged with the implementation of the joint communiqué and resolution 2304 (2016), to expedite and complete its work within 14 days, and the other establishing a Humanitarian High-level Oversight Committee led by the Minister of Cabinet Affairs to

work towards removing all impediments affecting humanitarian operations in the country. The President also established by republican order a National Planning Committee, chaired by the Minister in the Office of the President, to enhance the security and production of oil, launch infrastructure projects and stimulate external support.

As such entities are intended to address the relevant aspects of the crises confronting the country, their active coordinating role should be recognized and respected by our international partners to ensure more effective partnership in providing assistance to the country. Close partnership with existing Government institutions is crucial not only to achieving positive results, but also to enhancing the capacity of the Government to be more effective in the delivery of vital services to the people of South Sudan.

Permit me now to comment on two other issues that have been of concern to the international community and considerable debate recently — the proposed Regional Protection Force and the formation of a hybrid court. Both proposals have been accepted by the Government of South Sudan. It must, however, be recognized that there are significant challenges associated with both the force and the court that should be constructively addressed.

The Regional Protection Force should be approached in a spirit of cooperation and with the active engagement of the Government of South Sudan and in a manner that reinforces and strengthens the command and control of our armed forces and respect for the rule of law. International involvement should be a supplement or reinforcement, rather than a replacement, to the Government's efforts to protect its own people, in accordance with its national responsibility. The hybrid court should also be seen as complementary to the national judicial responsibility for justice. In that connection, it must carefully balance the quest for justice and accountability with the promotion of peace and national reconciliation. For both the protection force and the hybrid court to succeed, cooperation and constructive partnership with the Government are crucial. As such, we have agreed to implement the agreement of the joint Transitional Government of National Unity and Security Council communiqué of 4 September, in the spirit of cooperation to advance peace, security, stability and reconciliation in our country.

I would also like to comment on the proposed arms embargo on all parties engaged in the conflict. Although the motive of that proposal as it aims to end the violence that continues to devastate the country, it is unfortunately another indication of the moral equivalence that does not distinguish between a legitimately elected Government and an armed rebellion intent on overthrowing the Government. We continue to stress that it is the responsibility of the Government to protect all its citizens and defend its borders. To deny the Government the necessary means for discharging that responsibility is to basically undermine its sovereignty, which is totally unacceptable.

Finally, much has been said about increasing violence targeting ethnic groups and violations of the UNMISS status of forces agreement. Without challenging the accuracy of such allegations, what should be highlighted is that they do not in any way reflect Government policy. It is undeniable that incidents occur on the ground that responsible authorities may not be aware of and, therefore, cannot control on the spot. It is, however, important that the report of the Secretary-General document specific cases where measures were taken by elements at the lower levels of the operational hierarchy, in violation of the agreed guidelines, which, when brought to the attention of senior authorities, were

corrected. This further underscores the problems of capacity and the need for the capacity-building support of the international community.

To conclude, we recognize that our country is confronting severe challenges and that our national capacity to deal with the crisis is severely constrained. We need the complementary support of the international community not only because South Sudan is a State Member of the United Nations, but also because the Government and the people of South Sudan are the beneficiaries of that cooperation. However, such cooperation should not in any way come at the cost of our hard-won independence and national sovereignty. We trust that the United Nations and our international partners will respond to our aspirations and concerns to promote constructive and productive partnerships.

I also take this opportunity to thank Ms. Ellen Løj for her service with UNMISS in South Sudan, and wish her the best in her future endeavours. We pledge our cooperation with her successor.

The President (*spoke in French*): I now invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 6 p.m.